

Attorney's Docket No.: 06618/605001 / CIT 3188

REMARKS

Reconsideration and allowance of the above-amended application are respectfully requested.

Claims 30-39 have been newly added as dependent claims. The new claims are fully supported by the original specification and hence do not add new matter. Claims 1-39 are now pending and under consideration.

Claims 1-29 stand rejected under the judicially-created doctrine of obviousness-type double patenting over Claims 1-4 of U.S. Patent No. 6,490,039. The rejections, however, have been obviated by filing a terminal disclaimer.

Claim 29 stands rejected under 35 USC 102(a) over Little (April 1999). Applicants respectfully traverse.

The Office Action contends that Little discloses a device comprising a whispering-gallery mode resonator in a shape of a spheroid. However, the cited article by Little describes an analytic theory of coupling from tapered fibers and half-blocks into microsphere resonators. Each resonator in the cited Little is described as a "sphere" or "microsphere." Nothing in the cited Little suggests in any way the spheroid recited in the pending claims. Hence, the cited Little fails to provide the *prima facie* showing required under 35 USC 102(a). As such, Claim 29 is patentable over the cited Little.

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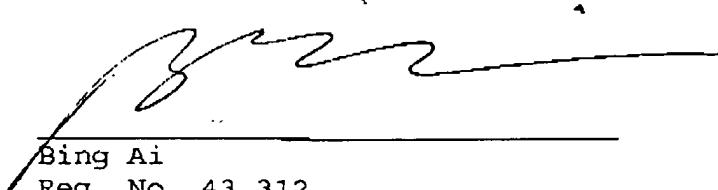
Accordingly, the newly-added dependent claims 35-39 based on Claim 29 are patentable over the cited Little based on the above argument as well as on their own merits.

Newly-added Claims 30-34 based on the base Claim 27 are also patentable since Claim 27 is now patentable due to the filing of the terminal disclaimer.

In view of the above, each and every rejection raised in the Office Action has been fully addressed and overcome. It is respectfully submitted that the application is now in full condition for allowance.

Please apply \$90.00 for the excess claims and any additional charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,



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